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NOV 29 2010

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease
☐ Purchase
☒ Donation
☐ Other

Explain: _____

☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____
END DATE ____/____/____

FOR OFFICE USE ONLY	
FILE No. <u>CS4005255616@3</u>	WRIA <u>38</u>
DATE ACCEPTED <u>08/24/2010</u>	BY <u>[Signature]</u>
FEE \$ <u>0</u>	REC'D <u>11/29/2010</u>
CHECK No. <u>[Signature]</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)

1. Applicant Information:

APPLICANT/BUSINESS NAME <u>Boyd A. And Shirley M. Brown</u>	PHONE NO. <u>(509) 658-2531</u>	FAX NO. <u>()</u>
ADDRESS <u>1050 Nile Rd.</u>		
CITY <u>Naches</u>	STATE <u>WA</u>	ZIP CODE <u>98937</u>

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO. <u>()</u>	FAX NO. <u>()</u>
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <u>Court Claim No. 0525</u>	RECORDED NAME(S) <u>Boyd A. And Shirley M. Brown</u>
DO YOU OWN THE RIGHT? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

<u>Court claim 00525</u> <u>SUB 16 WATER NACHES</u> <u>04-01-1885</u>	<u>CFD = 54-83443-J</u> FOR OFFICE USE ONLY
WATER RIGHT NO. _____	FILE (contract) NO. _____
<u>CS4-005255616@3</u>	

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input checked="" type="checkbox"/> Other, Explain below:
Mile Valley Landslide 2009, property UNABLE To be irrigated	
Name of funding source(s):	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
RATTLESNAKE Creek		NW	SE	3	15	15		

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
IRRIGATION	1.5 CFS	225	APR 1 - OCT 31

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
INSTREAM FLOW/ DONATION	

6. Place of Use:

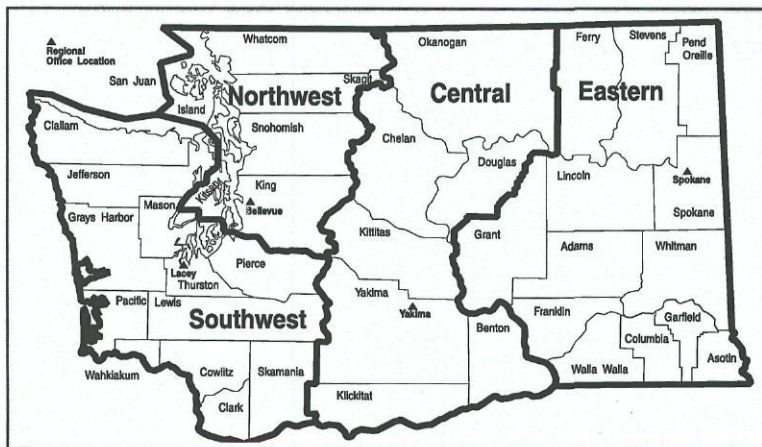
A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
SEE ATTACHED COURT CLAIM NO. 0525							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		243	15	15	YAKIMA		75
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							

* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

IMPORTANT!

Submit your application to Ecology at the regional office for the area of proposed or existing water use. Below is a map of the State of Washington, with outlines of the four Ecology regional offices. If you have questions about your application, contact the Water Resources program at the regional office in which your project is located.



Department of Ecology
Central Regional Office
15 W. Yakima Avenue, Suite 200
Yakima, WA 98902
Telephone: (509) 575-2490

Department of Ecology
Eastern Regional Office
N. 4601 Monroe, Suite 202
Spokane, WA 99205-1295
Telephone: (509) 329-3400

Department of Ecology
Northwest Regional Office
3190 - 160th Avenue SE
Bellevue, WA 98008-5452
Telephone: (425) 649-7000

Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
Telephone: (360) 407-6300

If you need assistance in the application process or those needing this application in an alternate format, please call the Water Resources Program at (360) 407-6600 or 800-833-6388 (TTY).

Point(s) of Diversion/Withdrawal - ☐ Existing ☐ Proposed:

B. Proposed Purpose of the Trust Water Right

Place of Use - ☐ Existing:

Application to Enter a Water Right Into the Trust Water Right Program

INSTRUCTIONS FOR APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: This application to enter a water right into the trust water right program is used only when a water right is proposed to be entered into the state trust water right program through an acquisition by lease, purchase, or donation and there are no other modifications to the water right being proposed. If other modifications to water right that will remain with the water right holder are proposed, an Application to Change/Transfer a Water Right, Ecology form number 040-1-97 must be filed instead of this form.

NOTE: No fee is required with this application if the proposal results in a donation of a water right to the trust water right program or if the state acquires a trust water right for instream flows or other public purposes.

INSTRUCTIONS

1. **Applicant Information:** Identify the name and contact information for the applicant that is filing the proposal to enter a water right into trust. Provide contact information for the application if it differs from the applicant.
2. **Water Right Information:** Complete the following:
 - Provide the water right document number (i.e., certificate, claim, etc.) and the names of the individuals as identified upon the water right document;
 - Check the appropriate boxes indicating:
 - Whether you are the owner of the water right proposed to become a trust water right. If you are not the owner, identify the owner and the owner's contact information;
 - Whether the water right has been exercised during the past five-years;
 - Whether the water use is measured, and;
 - Provide any information, such as records of measurement, pump electrical consumption records or other information that indicates specifically the extent of water use during the past five-years and general information of the extent of historic water use.
3. **How is Water to be Made Available for Trust?** Indicate what alteration to the existing water use under the water right is planned to make water right available for the trust water right program. Check all boxes that may apply.
4. **Point(s) of Diversion/Withdrawal:** Describe the diversion or withdrawal at the point at which water is taken from a public water body, such as a stream or from a well. If water is taken from a well, attach all existing records of the well.
5. **Purpose of Use: Part A:** Identify the current purposes of water use (i.e., irrigation, stockwater, domestic, etc.) and the season of use (i.e., continuous, year-round, April – September, etc.), as well as the existing quantities of water use as authorized under the water right. **Part B:** Identify any proposed purpose of use and the water quantity intended for use of the water right while in the trust water right program.
6. **Place of Use: Part A:** Describe the legal description (i.e., $\frac{1}{4}$ $\frac{1}{4}$, Section, Township, Range, etc.) of the lands where the water right is currently used. Also, identify whether the applicant is the owner of all the existing place of use. If the applicant is not the owner, provide the name(s) of the property owner(s). **Part B:** Identify the water body or other place that is expected to benefit while the water right is in trust.
7. **Remarks and Other Relevant Information:** Provide any information that further explains the trust water right proposal.
8. **Signatures:** The application must be signed by the applicant, the water right holder, and the land owner of the existing place of water use, if different from the water right holder. Additionally, if the water right is within an irrigation district, the application must be signed by a representative with signature authority for the irrigation district.

Attachment: An attachment is available for continuing the information required within Items 4, 5, and 6.

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(Check all that apply.)

- ☐ Lease
☐ Purchase
☒ Donation
☐ Other

Explain: _____

☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____
END DATE ____/____/____

FOR OFFICE USE ONLY

FILE No. _____ WRIA _____

DATE ACCEPTED ____/____/____ BY _____

FEE \$ _____ REC'D ____/____/____

CHECK No. _____

SEPA: ☐ Exempt ☐ Not exempt

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)

1. Applicant Information:

APPLICANT/BUSINESS NAME	PHONE NO. ()	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE

CONTACT NAME (IF DIFFERENT FROM ABOVE)	PHONE NO. ()	FAX NO. ()
ADDRESS		
CITY	STATE	ZIP CODE

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <i>Court claim No. 0525</i>	RECORDED NAME(S) <i>Boyd A. and Shirley M. Brown</i>
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

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WATER RIGHT NO. _____ FILE (contract) NO. _____

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input checked="" type="checkbox"/> Other, Explain below:
<i>Nile Valley Landslide 2009, property unable to be irrigated</i>	
Name of funding source(s):	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
<i>Rattlesnake Creek</i>		<i>NW</i>	<i>SE</i>	<i>3</i>	<i>15</i>	<i>15</i>		

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
<i>irrigation</i>	<i>1.5 cfs</i>	<i>225</i>	<i>April 1 - October 31</i>

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
<i>Instream Flow / Donation</i>	

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
<i>See attached Court Claim No. 0525</i>							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		<i>2 & 3</i>	<i>15</i>	<i>15</i>	<i>Yakima</i>		<i>75</i>
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input type="checkbox"/> NO - IF NO, PROVIDE OWNER(S) NAME:							

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6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
<i>Rattlesnake Creek tributary to Naches River</i>







7. Remarks and Other Relevant Information:

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

 _____ (Applicant)	 _____ (Date)
 _____ (Water Right Holder)	 _____ (Date)
 _____ (Land Owner(s) of Existing Place of Use)	 _____ (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

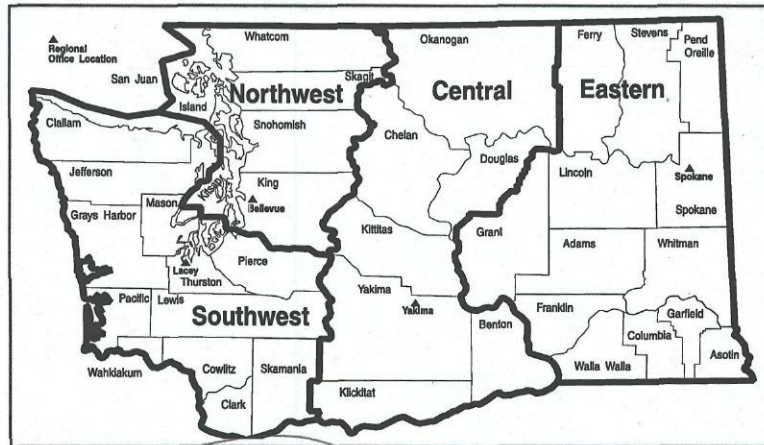
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
- ☐ OTHER/EXPLANATION: _____

STAFF: _____ **DATE:** ____/____/____

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